

ReedSmith_{LLP}**BEST AVAILABLE COPY****TO** Ms. Robinson

Company U.S. Patent and Trademark Office

Fax (703) 308-7749

Phone

FROM Nancy DeSanti for Stanley P. Fisher

Phone 703.641.4547

Fax 703.641.4340

Date May 10, 2005

Total Number of Pages Including Cover Page _____

Original will follow via: ☐ Regular Mail ☐ Overnight Delivery ☐ Messenger ☐ None**COPIES TO:**

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NOTES: Ms. Robinson: Per our telephone call of 5/10/05, we received an abandonment notice (attached) although we filed a response to the notice to file corrected application papers. Attached please find our canceled check 308352 in the amount of \$765, the card stamped by the USPTO mailroom, and the response itself which was filed October 13, 2004. Can you please help us get the notice rescinded? I would greatly appreciate it if you would call me on (703) 641-4547 Thank you very much!!

If you do not receive all of the pages, please call at 703.641.

Please Transmit Before: ☐ 9 ☐ 10 ☐ 11 a.m. ☐ 12 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 p.m.

Client Number 999906

Matter Number 00081

Attorney Number

Transmission Time

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Finish Time

a.m.
p.m.

Operator

Reed Smith Hazel & Thomas LLP
3110 Fairview Park Drive
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Falls Church, VA 22042
703.641.4200
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Delaware
New Jersey
New York
Pennsylvania
Virginia
Washington, DC

r e e d s m i t h . c o m

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of)

PATTERSON et al.)

Application Number: 10/755,473)

Filed: January 13, 2004)

For: PAINTBALL TARGET RANGE)

ATTORNEY DOCKET NO. KAPO.0001)

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Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

LETTER

Sir:

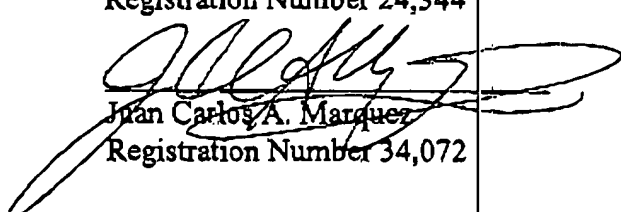
The below-identified communications are submitted in the above-captioned application or proceeding:

- () Priority Documents 0
- (X) Petition for 4-month Extension of Time
- (X) Response to Notice to File Corrected Application Papers
- (X) 11 Sheets of drawings
- (X) A check in the sum of \$765.00 for the 4-month Extension of Time fee

- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. § 1.16 and 1.17 or credit any overpayment to Deposit Account Number 08-1480. A duplicate copy of this sheet is attached.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344


Juan Carlos A. Marquez
Registration Number 34,072

REED SMITH LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4200
October 13, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re U.S. Patent Application of****PATTERSON et al.****Application Number: 10/755,473****Filed: January 13, 2004****For: PAINTBALL TARGET RANGE****ATTORNEY DOCKET No. KAPO.0001****BEST AVAILABLE COPY****Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231****PETITION FOR EXTENSION OF TIME****Sir:**

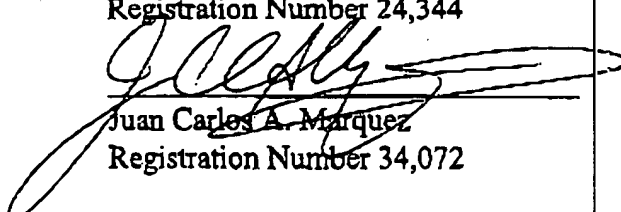
Applicants request that the time for taking action in this case be extended pursuant to 37 C.F.R. § 1.136(a) for four (4) months. The fee set in 37 C.F.R. § 1.17 for the extension of time is \$765.00 for a small entity.

Please charge any additional fee required for this extension of time to Deposit Account 08-1480. A duplicate copy of this paper is enclosed.

Also filed is a *Response to Notice to Correct*.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344


Juan Carlos A. Marquez
Registration Number 34,072

REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042
(703) 641-4200
October 13, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re U.S. Patent Application of****PATTERSON et al.****Application Number: 10/755,473****Filed: January 13, 2004****For: PAINTBALL TARGET RANGE****ATTORNEY DOCKET NO. KAPO.0001****Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231****BEST AVAILABLE COPY****PETITION FOR EXTENSION OF TIME****Sir:**

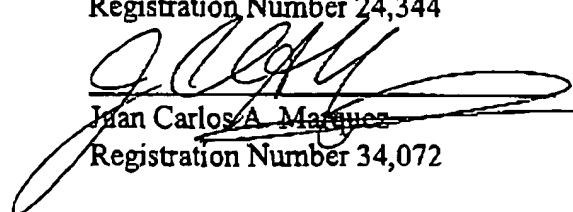
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Please charge any additional fee required for this extension of time to Deposit Account 08-1480. A duplicate copy of this paper is enclosed.

Also filed is a *Response to Notice to Correct*.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344



Juan Carlos A. Marañon
Registration Number 34,072

**REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042
(703) 641-4200
October 13, 2004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of
PATTERSON et al.
Application Number: 10/755,473
Filed: January 13, 2004
For: PAINTBALL TARGET RANGE
ATTORNEY DOCKET NO. KAPO.0001

BEST AVAILABLE COPY

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

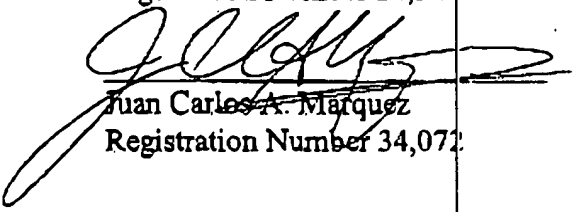
Upon a review of the Notice to File Corrected Application Papers mailed on April 15, 2004, advising us to correct the drawings, we are attaching the same. Included in these drawings are Figs. 5 and 6, which were described in the specification.

The Notice was dated April 15, 2004, the period for response to which is set to expire on October 15, 2004, with a four-month Extension of Time. The required fee for a small entity is attached hereto.

Please direct any inquiries in connection with this application to the undersigned.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344


Juan Carlos A. Marquez
Registration Number 34,072

REED SMITH LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4200
October 13, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/755,473	01/13/2004	Christian Patterson	KAPO.0001

REED SMITH LLP
 Suite 1400
 3110 Fairview Park Drive
 Falls Church, VA 22042

CONFIRMATION NO. 9941

FORMALITIES LETTER



OC000000012375073

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Date Mailed: 04/15/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 7, 9A-B.
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 3C, 8B-C.
 - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) All Figures.

The following item(s) appear to have been omitted from the application:

- Figure(s) 5, 6 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within **TWO MONTHS** of the date of this Notice.

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Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/755,473	01/13/2004	Christian Patterson	KAPO.0001

REED SMITH LLP
 Suite 1400
 3110 Fairview Park Drive
 Falls Church, VA 22042

RECEIVED
 JAN 14 2005

CONFIRMATION NO. 9941

ABANDONMENT/TERMINATION
 LETTER

OC000000014942072

Date Mailed: 01/13/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 04/15/2004.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/755,473	01/13/2004	Christian Patterson	KAPO.0001

REED SMITH LLP
Suite 1400
3110 Fairview Park Drive
Falls Church, VA 22042

CONFIRMATION NO. 9941
ABANDONMENT/TERMINATION
LETTER

OC000000014942072

Date Mailed: 01/13/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

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A copy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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PAID TO ORDER OF
DIRECTOR U.S. PATENT
AND TRADEMARK OFFICE

ReedSmith

10/12/2004
Pittsburgh, PA 15280

N6 008352

10/12/2004

PAY *Seven Thousand Seven Hundred and no/100 Dollars*

\$ 765.00

TO THE ORDER OF

DIRECTOR U.S. PATENT
AND TRADEMARK OFFICE

[Signature]

308352 043301601 118 6695

0000076500

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REED SMITH, LLP - 3110 Fairview Park Drive, Suite 1400, Falls Church, VA 22042

PATENT APPLICATION

(PENDING)

Serial No.:

10/755,473

Filed:

Jan 13, 2004

Atty Docket No.:

KAPD-0001

Applicant(s):

Patterson et al

DELIVER TO:

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Special Instructions:

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| <input checked="" type="checkbox"/> Check - \$ <u>765-</u> | <input type="checkbox"/> Petition to Commissioner with fee | <input type="checkbox"/> Appeal Brief (Triplicate) |
| <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Priority Document(s) | <input type="checkbox"/> Claim Calculation Sheet |
| <input type="checkbox"/> Assignment w/PTO-1595 | <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Verified English Translation |
| <input type="checkbox"/> CPA Application under Rule 1.53 | <input type="checkbox"/> Information Discl. Stmt./refs. | <input type="checkbox"/> Revocation of Power of Attorney and Appointment of New Attorney |
| <input checked="" type="checkbox"/> Extension of Time Petn. <u>4</u> month | <input type="checkbox"/> Request For Priority | <input type="checkbox"/> Request for Refund |
| <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Letter to Draftsman | <input checked="" type="checkbox"/> Response to Notice to Correct |
| <input checked="" type="checkbox"/> 11 Sheets of Drawings -- <input type="checkbox"/> Formal <input type="checkbox"/> Informal | | |
| <input type="checkbox"/> Small Entity Statements <input type="checkbox"/> Inv. <input type="checkbox"/> Sm. Bus. <input type="checkbox"/> Non-Inv. <input type="checkbox"/> Non-profit | | |

ck# 308352



L J